

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE CITY OF BLAINE, *et al.*,

Plaintiffs,

v.

GOLDER ASSOCIATES, INC., *et al.*,

Defendants.

No. C03-0813RSL

ORDER DENYING PLAINTIFFS'
MOTION TO SEAL

This matter comes before the Court on "Plaintiffs' Motion to File Law Firm Bills Under Seal." Dkt. # 456. Plaintiffs argue that law firm billing records are proprietary and confidential because "law firms may or may not have the same billing practices and may or may not use these bills to their advantage when marketing [to] similar clients." Motion at 2.

Pursuant to Local Civil Rule 5(g)(1), "[t]here is a strong presumption of public access to the court's files and records which may be overcome only on a compelling showing that the public's right of access is outweighed by the interests of the public and the parties in protecting files, records, or documents from public view." Plaintiffs' motion is based on an unsupported assertion of confidentiality and the argument that the public does not need access to the billing records. Whether the public has a specific need or interest in the documents filed by a party is irrelevant: the public has a right of access which should be restricted only when the

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1 movant makes a compelling showing that its interests outweigh the presumption of open access.
2 Plaintiffs have not shown that law firm billing records meet the statutory requirements for
3 confidential business information or trade secrets. The price the law firm charges for its services
4 could presumably be obtained through a phone call expressing interest in retaining the firm. Nor
5 have plaintiffs alleged that the records contain work product or privileged information.¹ In short,
6 plaintiffs have offered nothing but a blanket argument that all law firm billing records are
7 confidential and should be filed under seal. The Court is unwilling to draw such a sweeping
8 conclusion, especially in light of the hundreds, if not thousands, of motions for attorney's fees
9 that have been filed in this district without seal.

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11 For all of the foregoing reasons, plaintiffs' motion to seal is DENIED.

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13 DATED this 28th day of July, 2006.

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17 Robert S. Lasnik
18 United States District Judge
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25 ¹ If such concerns were raised, redaction would be the appropriate remedy, not a wholesale seal
26 of the billing records.